

Appl. No. 10/720,557
Docket No. 9130M
Amdt. dated September 26, 2008
Reply to Office Action mailed on March 26, 2008
Customer No. 27752

REMARKS

Claim Status

Claims 1-16 and 24-29 are pending in the present application.

Claims 17 and 21-23 have been canceled without prejudice.

Claims 1 and 8 have been amended based on, *inter alia*, the specification at page 6, lines 18-32.

Claims 2, 9, and 14 have been amended based on, *inter alia*, the specification at page 6, lines 10-12.

Claim 5 has been amended to provide proper antecedent basis.

Claim 13 has been amended based on original Claim 17 and the specification at page 4, lines 15-21.

Rejections Under 35 U.S.C. §112, First Paragraph

Claims 21-23 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Although Applicants do not agree with the propriety of the rejection, Applicants have canceled Claims 21-23 without prejudice. Applicants therefore submit that this rejection is now moot.

Rejection Under 35 U.S.C. §112, Second Paragraph

Claim 5 has been rejected under 35 U.S.C. § 112, second paragraph, as the limitation “adjacent said first region of said sanitary napkin” lacks antecedent basis. Applicants have amended Claim 5 to provide proper antecedent basis and submit that the rejection is now overcome.

Rejection Under 35 U.S.C. §102 Over Mizutani

Claims 1-6, 8-17 and 21-28 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Mizutani (EP 1,022,008 A2). Applicants respectfully traverse this rejection.

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Mizutani discloses an apertured topsheet divided into a central zone and a second zone outward of the central zone. The two zones of the topsheet of Mizutani are made of different materials, in particular the central zone is comprised of a thermoplastic film and the second zone is comprised of a thermoplastic nonwoven fabric (*see, e.g.*, col. 6, lines 8-9 and the Figures of Mizutani). The different materials are sealed along compressed grooves to form the topsheet of Mizutani.

Claims 1 and 8 have been amended to specify that the facing layer is comprised of a precursor web and the first and second regions of the facing layer are both disposed in the same precursor web. Mizutani does not disclose or suggest a topsheet having two zones disposed in the same web of material.

Claim 13 has been amended to specify that the individual rib-like elements have a length of between 1% and 20% of the length of the sanitary napkin. Mizutani does not disclose or suggest such rib-like elements. At most, Mizutani discloses rib-like elements that extend continuously across the entire length of the sanitary napkin.

In view of the discussion above, Applicants respectfully submit that Claims 1-6, 8-16 and 24-28 are not anticipated and are patentable under 35 U.S.C. § 102(b) over Mizutani.

Rejection Under 35 U.S.C. §103(a) Over Mizutani

Claims 7 and 29 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mizutani. Applicants respectfully traverse this rejection.

Based on the discussion above, Applicants submit that Claims 7 and 29 are similarly not taught or suggested by Mizutani. Therefore, Applicants submit that Claims 7 and 29 are unobvious and patentable under 35 U.S.C. § 103(a) over Mizutani.


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Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference. In view of the foregoing, entry of the amendments presented herein, reconsideration of this application, and allowance of the pending claims are respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By 

Date: September 26, 2008
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